

**Stafford County Utilities Commission**  
**Meeting Minutes**  
March 13, 2012

**I. Call to order**

Chairman Bill Tignor called to order the regular meeting of the Utilities Commission at the Stafford County Government Center on March 13, 2012 in the A, B, C Conference Room.

- II.** Chairman Bill Tignor welcomed new commission member Gordon Howard and stated that Mr. Howard would be serving the remainder of Bob Gibbons' term. Mr. Tignor commented that since Mr. Gibbons was the Vice-Chairman, a new Vice Chairman needed to be nominated. Nominations were opened for the office of Vice Chairman. Mr. Tignor nominated Lloyd Chittum. Mr. Carroll seconded the motion. There being no further nominations, the commission voted on the office. Mr. Chittum was elected by a 5-0 vote.

**III. Roll call**

Cheryl Giles conducted a roll call. The following persons were present: Rick Carroll, Lloyd Chittum, Gordon Howard, Danny Kim and Bill Tignor. David Bohmke arrived shortly after the roll call. Harry Critzer, Dale Allen, Bryon Counsell, Janet Spencer, Deidre Jett and Cheryl Giles were present for the Utilities Department.

**IV. Public Presentations**

Paul Waldowski of 8 Pickett Lane commented that he contacted the Commissioner of Revenue to appeal paying taxes for his property located at 12 Baker Court because he does not receive a county water and sewer bill. Mr. Waldowski stated that resolution R82-341 was for 218 apartments to be developed in the Stafford Meadows subdivision, but 143 townhouses and 66 apartments were developed. The governing laws of Virginia specifically outline what constitutes an apartment, townhouse, or condominium and can have an impact on how the properties were deeded as condominiums in the Stafford Meadows subdivision.

**V. Approval of minutes from last meeting**

The February 14, 2012 minutes were approved as written.

**VI. Commission Members' Comments**

Mr. Carroll asked if restrictions for docks and piers would remain in place once Abel Lake WTF is taken offline. Mr. Critzer responded that the restrictions would remain in place.

Mr. Howard asked the following questions:

- 1) If revenue is 2.5% below budget due to decline in water demand, why is it a risk to the county?
- 2) When would the proposed \$2,000 increase for sewer availability fees be paid by a developer?
- 3) What is the life-line rate?
- 4) Once a cost of services study is completed, will rates increase?

Ms. Jett responded that the revenue being 2.5% below budget does not put the county at risk. The Commission is updated on the financial position on a regular basis. The 2,000 increase would take place in FY13. A public hearing would need to be held and the fee would be increased only if approved by the Board of Supervisors. A life-line rate is targeted at the vulnerable and elderly population. The rate would help to lessen the impact of a rate increase. A rate increase after a cost of services study is completed would depend upon the outcome of the study.

**VII. Director's Report**

Mr. Critzer reported the following items:

- An Initial Reconciliation Report of Nutrient Credit Exchange was received. The county will receive a \$24,500 credit from sale of excess nitrogen and phosphorus credits through the exchange to other localities.
- Renovations have started at the new office location.
- The 311 call center has helped to reduce calls by 50% in customer service.

Mr. Critzer requested that two items be added to the new business section of the agenda regarding a contract to URS for Rocky Pen Run Reservoir and an overview of the proposed FY13 operating budget.

**VIII. New Business**

**1. Golden Tap Award**

Mr. Critzer reported that one nomination was received for the Golden Tap Award. A memo was distributed which highlighted the nominee's attributes. Mr. Howard made a motion to accept the nominee as the recipient of the award. The motion was seconded by Mr. Bohmke and passed unanimously.

Mr. Critzer reported that staff plans to present the award to the recipient at an upcoming Board of Supervisors meeting.

**2. Contract for Construction Phase Services for Rocky Pen Run Dam**

Mr. Counsell reported that a contract with URS Corporation was needed for the construction phase services of the dam. The services would include submittal review, review and answer Requests for Information, regular and special site visits, and a final certification report. The tasks are imperative for the certification to the Department of Conservation and Recreation that the dam was constructed in accordance with the design intent. URS submitted a proposal in the amount of \$930,831 for the services.

Mr. Kim asked if there were other companies that could perform the work for a lower amount. Mr. Counsell explained that if another Engineer of Record were selected, all of the project would need to be redesigned.

Mr. Chittum commented that he did not like receiving the information at the meeting, but would like to receive it in a timely manner to allow time to review it.

Mr. Bohmke requested that an itemized report of the amounts for the dam construction be prepared for Commission members.

Mr. Howard recommended staff meet with URS and request they identify which URS employees the county has permitted to be allowed on site and request the charges for those clients accompany the invoices that are submitted for payment.

Mr. Tignor commented that he would like to have a financial review of the Rocky Pen Run Reservoir project at each monthly meeting. He stated that going forward, he would not approve contracts for RPRR if a financial overview was not provided.

Mr. Bohmke asked if a lesser amount could be offered until the Commission further reviewed the information. Mr. Counsell responded that staff would have to have the cooperation of the

consultants to list it in the proposal and he was unsure if the consultants would provide a proposal of a lesser amount. Mr. Critzer commented that the initial purchase order could be for a lesser amount.

Discussion ensued regarding options on how to reduce the proposed amount and on how much to request for the initial purchase order.

Mr. Kim asked why the contract was time sensitive. Mr. Counsell responded that staff would like to submit a notice-to-proceed for dam construction. There is a backlog of work that needs to be completed by March 19<sup>th</sup> and it could affect the entire project because work on the water treatment facility is progressing. There is a point in the dam construction that is very critical to the water treatment facility and it could cause delays.

Mr. Carroll made a motion to recommend approval of a resolution to award a contract for construction phase services for the Rocky Pen Run dam. Mr. Bohmke amended the motion to include an itemized budget report of the dam construction and the initial purchase order be for one-third (1/3) of the proposed amount, pending review of the itemized budget report. Mr. Kim seconded the motion. The motion passed with a 5-1 vote. Mr. Chittum was the opposing vote.

### **3. FY13 Operating Budget**

Ms. Jett reported that the proposed FY2013 Utilities Fund Budget was presented at the March 6<sup>th</sup> Board of Supervisors meeting. An approved 8% rate increase for FY13 is expected to generate a 7.4% increase in operating revenue. Expenditures are expected to increase 2.4%, which includes a 10% increase in electrical costs and a 5% increase in chemical costs. \$225,000 has been budgeted for water meters including a program to replace aged meters. An increase of \$2,000 in the sewer availability fee is proposed for FY13 and will require a public hearing. Staff will present additional details regarding the proposed fee at next month's meeting.

Mr. Critzer stated staff would meet with the Finance and Budget Committee on March 20<sup>th</sup> at 1:30PM.

Mr. Tignor asked if water demand were less, would operating costs go down. Mr. Critzer explained that the decrease in water demand would not impact the labor and fuel costs, but would lower electrical and possibly fuel costs.

Mr. Carroll made a motion to recommend the proposed operating budget to the Board of Supervisors. The motion was seconded by Mr. Chittum and passed with a 5-1 vote. Mr. Howard was the opposing vote.

Mr. Kim was absent for the remainder of the meeting due to illness.

## **IX. Old Business**

### **1. New Courthouse Water Tank Site**

Mr. Allen reported that staff met with Medicorp to discuss funding of the proffered site for the tank. Medicorp agreed that they would pay the estimated \$65,000 for the site.

Mr. Carroll inquired about the difference between the proffered site and the Walchester site. Mr. Allen responded the sites are approximately the same distance away from the 12-inch waterline.

The Walchester site is located near a resource protection area (RPA) and is more remotely located visually, but more centrally located hydraulically than the originally proffered site.

Mr. Chittum expressed concern about recommending condemnation and quick-take for the Walchester site. Mr. Chittum commented that Medicorp could make a substantial profit off of the Walchester site. Mr. Bohmke commented that he agrees with Mr. Chittum about Medicorp and added that Medicorp would have a higher usage provision and the site would be valued more than \$65,000.

Discussion ensued regarding the location of the site and the timeframe of the project.

Mr. Howard made a motion to defer recommending the item to the Board until a map could be provided about the site. The motion was seconded by Mr. Carroll and passed unanimously.

**2. Easement for Power Line to Rocky Pen Run River Intake Pump Station**

Mr. Counsell reported that an easement is needed to complete the 3-phase electrical underground service for the Rappahannock River Intake (RRI) project. All of the rights-of-way have been secured for the land except for the 0.07 acre easement for Tax Map Parcel 43-31. The property owners have stated they will not sign a deed of easement unless their property is protected from a potential Reservoir Overlay District.

Following discussion about the assessed value of the property, Mr. Bohmke made a motion to recommend approval of proposed resolution R12-57 which authorizes a public hearing to consider condemnation and exercise of quick-take powers for a portion of property located at Tax Map Parcel 43-31 for the Rappahannock River Intake Project. The motion was seconded by Mr. Carroll and passed with a 5-0 vote.

**X. Adjournment**

Mr. Tignor adjourned the meeting at 9:05pm.

Minutes submitted by:

Danny Kim,  
Recording Secretary